

JAN 09 2020

Clerk, U.S. District Court
District Of Montana
MissoulaIN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

PATRICK RYAN O'LEARY,

Defendant.

CR 19-33-M-DLC

ORDER

Before the Court is the Government's Motion for Preliminary Order of Forfeiture, which it represents that Defendant Patrick Ryan O'Leary ("O'Leary") does not oppose. (Doc. 57.) O'Leary appeared before the Court on September 26, 2019 and entered a plea of guilty to counts II and IV of the Indictment. He also admitted the forfeiture allegation. O'Leary's plea provides a factual basis and cause to issue an Order of Forfeiture, pursuant to 18 U.S.C. § 924(d) and 21 U.S.C. § 853.

Accordingly, IT IS ORDERED that:

(1) O'Leary's interest in any firearm, ammunition, and/or destructive device involved in and used in any knowing violation of offenses charged in the Indictment is forfeited to the United States in accordance with 18 U.S.C. § 924(d) and 21 U.S.C. § 853, to include:

- A Diamondback Firearms, DB9, 9mm Pistol, S/N: YH0004;


- A Winchester, 12-gauge pump-action shotgun, S/N: 924166;
- A Saiga 12-gauge, semi-automatic shotgun;
- A Delaware Machinery, AR-15, 6.5 caliber semiautomatic rifle;
and
- A Smith and Wesson, .357 Magnum revolver, S/N: CCH1578.

(2) The Bureau of Alcohol, Tobacco, Firearms and Explosives is directed to seize the property subject to forfeiture and further to make a return as provided by law;

(3) The United States will provide written notice to all third parties asserting a legal interest in any of the above-described property and will post on an official government internet site (www.forfeiture.gov) for at least 30 consecutive days as required by Rule G(4)(a)(iv)(C) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions of the Court's Preliminary Order and the United States' intent to dispose of the property in such manner as the Attorney General may direct, pursuant to 18 U.S.C. § 924(d) and 21 U.S.C. § 853(n)(1), and to make its return to this Court that such action has been completed; and

(4) Upon adjudication of all third-party interests, if any, the Court will enter a Final Order of Forfeiture.

DATED this 9th day of January, 2020.



Dana L. Christensen, Chief Judge
United States District Court